

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's remarks set forth in the explanation attached to the Advisory Action mailed June 10, 2005.

In the explanation, the Examiner responded to Applicant's request for the removal of the finality of the rejection because Applicant's understood the Examiner to have considered limitations of the wherein clause to be optional. However, the Examiner did not provide any explanation or response to Applicant's other arguments. In particular, Applicants asked the Examiner to show, and make of record, a disclosure in the cited references that, e.g., the symbols taught by Baker, and referred to by the Examiner in paragraph 2 of the most recent Office Action, represent instructions to be followed by a person who understands the instructions irrespective of the written language understood by the person. The Examiner provided no response to this request. The general statements made in the Advisory Action do not meet the requirement that a specific response be provided.

For the foregoing reasons, Applicants have re-submitted the remaining arguments provided in the response mailed May 19, 2005, and respectfully request reconsideration of the Application.

An attempt was made to hold a telephone conference with the Examiner following receipt of the June 10, 2005 Advisory Action. This request was denied by the Examiner. Applicants respectfully submit this denial was inappropriate as Applicants believe such a discussion would move the prosecution forward. In view of the denial, Applicants respectfully request review of the present Application.

The Office Action

Claims 1-4, and 6 stand rejected under 35 U.S.C. §102(e) as being anticipated by Baker et al. (U.S. Application No. 2004/0163544 A1).

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Baker as applied to claim 1, and further in view of U.S. Patent No. 5,212,635 issued to Ferriter.

Claims 7-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Baker and U.S. Patent No. 6,321,243 issued to Ballard.

The Art Rejections

Remaining Claims Distinguish over Cited Art

Applicants respectfully submit, with reference to claims 1 and 6, that the Examiner has not shown in any of the cited references a teaching corresponding to the limitation included in each of claims 1 and 6 that selected ones of the action glyphs, material glyphs and instrumentation glyphs are arranged in relationship to each other in accordance with a predetermined structure to form a specific instruction understandable by the person following the instruction irrespective of the written language understood by the person. Applicants respectfully ask the Examiner to show, and make of record, a disclosure in the cited references that, e.g., the symbols taught by Baker, and referred to by the Examiner in paragraph 2 of the most recent Office Action, represent instructions to be followed by a person who understands the instructions irrespective of the written language understood by the person.

Applicants respectfully submit that the Examiner has misunderstood the Baker reference. Baker does not generate an instruction understandable by the person following the instruction irrespective of the written language understood by the person as recited in claims 1 and 6 of the present application. Rather, in Baker, it is a user that works to generate an input instruction to be performed by a computing system. Further, there is no teaching or suggestion in Baker that a user can understand the symbols regardless of the user's language. For example, on page 15, paragraph 150, Baker discusses the calculator symbol 22a of Figure 1, among other symbols 22b-22f, but each symbol is associated with an English subtitle, thereby indicating a possibility that the user may not understand the symbol. Even the "stop" symbol discussed on page 4, paragraph 40, and shown in Figure 2, contains the English word "stop" to clarify its meaning. There is no suggestion that the stop sign is universally understood by users that only understand non-English languages.

In paragraph 7 of the Examiner's Response to Arguments, it is stated that the Examiner disagrees with Applicant's argument that the symbols taught by Baker are used for invoking application programs or actions taken by application programs. The Examiner further noted that, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

Apparently, the Examiner did not interpret the limitations in claims 1 and 6 regarding the material glyphs and the instrumentation glyphs to represent materials and instruments to be used by the person following the instructions. Therefore, the Examiner apparently likened the glyphs recited in claims 1 and 6 to be similar to the glyphs in Baker which denote actions such as “find” and “move” (which are undertaken by the computer or PDA), and which loosely denote materials such as “eye” and “money,” and which further loosely denote instruments such as “keypad.” Applicants respectfully submit that the “defined materials” and the “instruments” as recited in claims 1 and 6 represent physical materials and instruments to be used by the person following the instructions—a concept not taught by Baker.

With reference now to claim 3, the Examiner argues that Baker teaches the user creating a command sequence using the symbols “new” representing an action symbol, “all” representing a material symbol, and “file cabinet” representing an instrument symbol. Applicants respectfully submit that “new” does not represent an action, and that the referenced Figures 8c and 8d do not clearly show a glyph representing either “new” or “all.” Further, the Examiner provided a dictionary definition of “material” in the Office Action mailed February 22, 2005, and the word “all” does not conform to any of the meanings provided by the *Merriam-Webster* definition. Therefore, Applicants respectfully submit that dependent claim 3 of the present application is patentably distinct over the cited reference.

For the reasons set forth above, Applicants submit that all claims remaining in the present application are in condition for allowance. It is further submitted by Applicants that the aforementioned amendments do not introduce any additional limitations beyond those included in the respective claims as originally filed. The amendments have been made only to clarify and reinforce the intended meaning of the limitations originally filed, and no new material has been added thereby.

Claims 1-9 remain in this application.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-9) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment After Final. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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Date

9/7/05

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